AO 399   (Rev. 10/95)

WAIVER OF SERVICE OF SUMMONS

TO: __Mark Saunders_____
     (NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I, __Roger Mark_____, acknowledge receipt of your request
     (DEFENDANT NAME)

that I waive service of summons in the action of __Saunders v. Picard et al_____,
                                                   (CAPTION OF ACTION)

which is case number __1:2021-cv-11240_____ in the United States District Court
                        (DOCKET NUMBER)

for the __US District Court_____ District of __Massachusetts_____.

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an

answer or motion under Rule 12 is not served upon you within 60 days after __February 1, 2023_____,
                                                                              (DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

__Feb 1, 2023_____   _Roger Mark_____
       (DATE)   (SIGNATURE)

                                  Printed/Typed Name: __Roger Mark_____

                                  As __Individual_____ of _____
                                             (TITLE)   (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

MARK SAUNDERS
_____
Plaintiff

v.

ROSALIND PICARD, ET AL.
_____
Defendant

Civil Action No.: **1:21-CV-11240-AK**

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

ROGER MARK
125 PERKINS ST
JAMAICA PLAIN, MA 02130

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) ------ or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) ------ you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

MARK SAUNDERS
28 CUSHMAN ST
WATERTOWN, MA 02472

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ROBERT M. FARRELL
_____
CLERK OF COURT

/s/ — Francis Castilla
_____
Signature of Clerk or Deputy Clerk

ISSUED ON 2022-08-10 10:41:25, Clerk USDC DMA